

Return to:
Belinda Jones
Office of Right of Way
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

COMPLETED

FILED NO. 1265
BOOK 130 PAGE 679

92 NOV 16 AM 11:15

REC 120
AUD 8

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

COMPUTED

SPACE ABOVE FOR RECORDER

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of Six Thousand Four Hundred Thirty-five and no/100-----(\$6,435.00)-----
DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation,
Richard DeWitt and Mary DeWitt, husband and wife, of Warren County, State of Iowa, do
hereby grant to the STATE OF IOWA a permanent easement for road purposes and for use as
a Public Highway in, to, on, over and across real estate in Madison County, Iowa:

THE EASEMENT RIGHT GRANTED FOR HIGHWAY PURPOSES IS TO LAND
DESCRIBED AS FOLLOWS:

A parcel of land located in the NW 1/4 SE 1/4 and in the SW 1/4 NE 1/4 all in Sec.
26, T76N, R27W of the 5th P.M., Madison County, Iowa, as shown on Acquisition
Plat Exhibit "A" (Plat 1 of 2) attached hereto and by reference made a part hereof,
and more particularly described as follows:

Commencing at the S 1/4 Corner of said Sec. 26; thence N1°37'40"W, 2434.74 ft.
along a straight line between said S 1/4 Corner and the N 1/4 Corner of said Sec.
26 to the Point of Beginning; thence continuing N1°37'40"W, 114.68 ft. along said
straight line to a point on the present southeasterly right of way line of Primary
Road No. IA. 92; thence northeasterly 115.51 ft. along said present southeasterly
right of way line along a 1942.86 foot radius curve, concave northwesterly, and
having a chord bearing N32°41'48"E, 115.49 ft.; thence N30°59'37"E, 515.60 ft.
along said present southeasterly right of way line; thence northeasterly 1055.48 ft.
along said present southeasterly right of way line along a 1399.39 foot radius curve,
concave southeasterly, and having a chord bearing N52°36'04"E, 1030.64 ft.;
thence N74°12'30"E, 131.15 ft. along said present southeasterly right of way line
to a point on the east line of the SW 1/4 NE 1/4 of said Sec. 26; thence
S1°15'26"E, 62.09 ft. along said east line; thence southwesterly 823.51 ft. along a
1189.86 foot radius curve, concave southeasterly and having a chord bearing
S53°10'27"W, 816.27 ft.; thence S51°00'16"W, 199.60 ft.; thence S35°48'01"W,
720.42 ft.; thence S37°06'20"W, 68.00 ft. to a point on a straight line between the
S 1/4 Corner of said Sec. 26 and the N 1/4 Corner thereof, the Point of Beginning;
containing 4.80 acres.

AND

A parcel of land located in the SE 1/4 NE 1/4 and in the NE 1/4 NE 1/4 all in Sec.
26, T76N, R27W of the 5th P.M., Madison County, Iowa, as shown on Acquisition
Plat Exhibit "A" (Plat 2 of 2) attached hereto and by reference made a part hereof,
and more particularly described as follows:

Beginning at the SE Corner of the NE 1/4 NE 1/4 of said Sec. 26; thence
S0°53'22"E, 9.28 ft. along the east line of the SE 1/4 NE 1/4 of said Sec. 26;
thence S81°05'53"W, 1113.83 ft. to a point on the present southerly right of way
line of Primary Road No. IA. 92; thence N74°12'31"E, 1004.90 ft. along said
present southerly right of way line; thence easterly 134.92 ft. along said present
southerly right of way line along a 1399.39 foot radius curve, concave southerly,
and having a chord bearing N76°58'15"E, 134.87 ft. to a point on the east line of
the NE 1/4 NE 1/4 of said Sec. 26; thence S0°53'22"E, 122.26 ft. along said east
line to the SE Corner of said NE 1/4 NE 1/4, the Point of Beginning, excepting
therefrom present easements of record; containing 1.68 acres, exclusive of said
exceptions.

Madison County Project No. FN-92-4(15)--21-61
Richard and Mary DeWitt (Parcel 38)

DEED RECORD 130

679

This easement and a certain Easement for Public Highway to Madison County, Iowa, executed by the above named grantors, are given in fulfillment of a certain real estate contract dated September 29, 1992, and recorded in the Madison County Recorder's Office on October 7, 1992, in Book 130, Page 458.

The additional amount of \$10,165.00, as agreed to by contract, has been paid as consideration on a certain Easement to Madison County or as severance damages to the remaining property and is not subject to real estate transfer tax.

This easement and transfer is exempt from transfer tax. Iowa Code Sec. 428A.2(17).

This easement is being acquired for public purposes and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Grantors do hereby covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors covenant to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the easement.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated November 5, 1992. (SIGN IN INK)

Richard S. DeWitt
Richard DeWitt

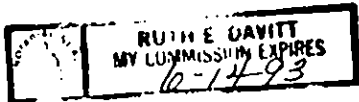
Mary DeWitt
Mary DeWitt

STATE OF Iowa, COUNTY OF Warrren, ss:

On this 5 day of November, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard S. DeWitt and Mary DeWitt to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

(SEAL)

Ruth E. Davitt (Sign in Ink)
Ruth E. Davitt (Print/Type Name)
Notary Public in and for the State of Iowa



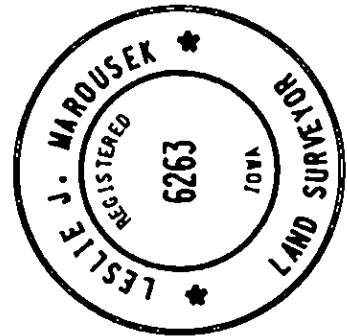
IOWA DEPARTMENT OF TRANSPORTATION

ACQUISITION PLAT 2 OF 2
EXHIBIT "A"



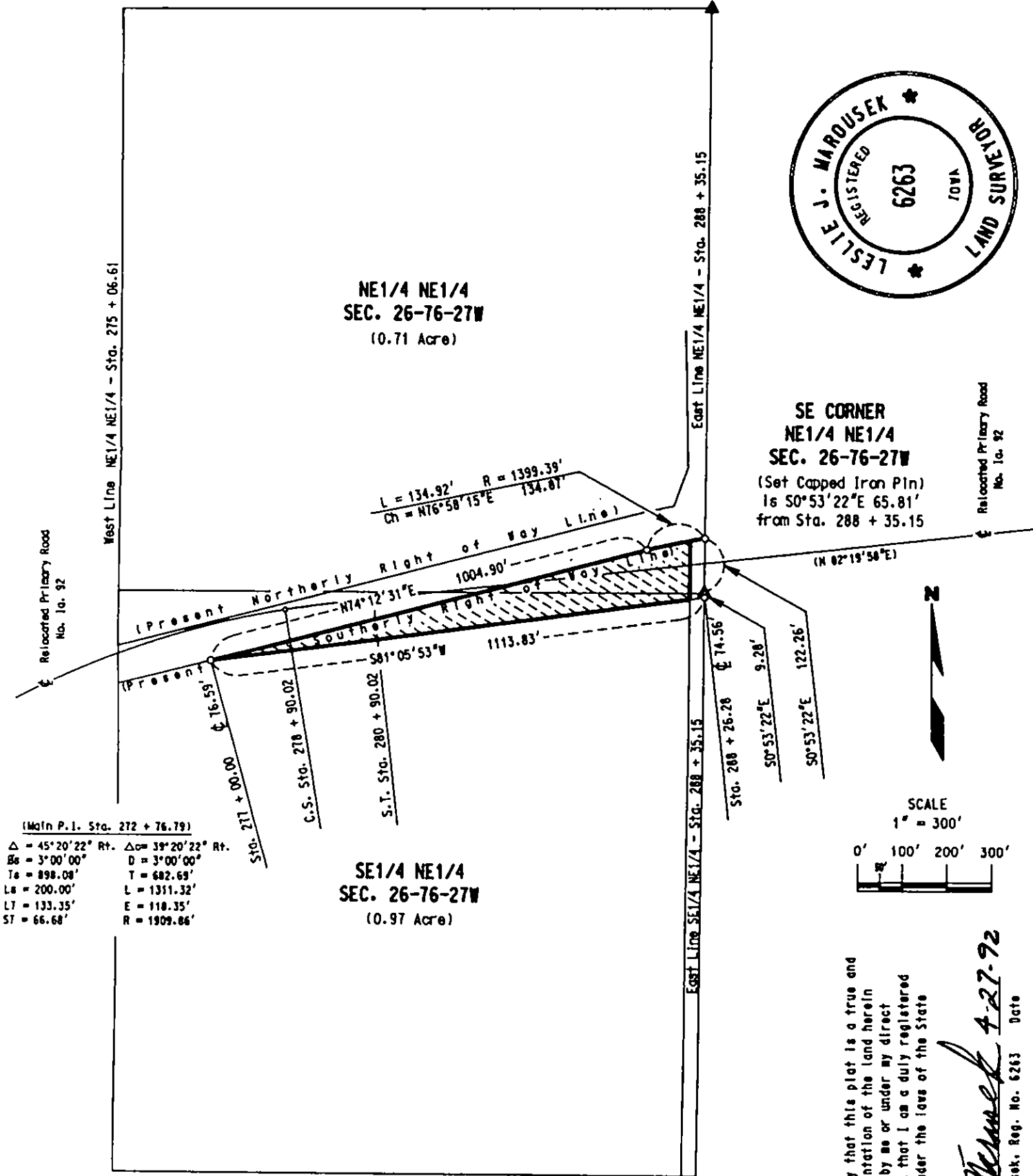
COUNTY MADISON STATE CONTROL NO. 61-0600
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 38
 SECTION 26 TOWNSHIP 76 N RANGE 27 W
 ROW-FEE _____ AC. EASE 1.68 AC. EXCESS - FEE _____ AC
 ACQUIRED FROM _____

NE CORNER
 SEC. 26-76-27W
 (Found Iron Pin)
 Is $N0^{\circ}53'22''W$ 1247.24'
 from Sta. 288 + 35.15

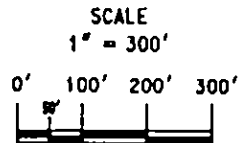


NE1/4 NE1/4
 SEC. 26-76-27W
 (0.71 Acre)

SE CORNER
 NE1/4 NE1/4
 SEC. 26-76-27W
 (Set Capped Iron Pin)
 Is $S0^{\circ}53'22''E$ 65.81'
 from Sta. 288 + 35.15



SE1/4 NE1/4
 SEC. 26-76-27W
 (0.97 Acre)



I hereby certify that this plat is a true and accurate representation of the land herein described, made by me or under my direct supervision, and that I am a duly registered Land Surveyor under the laws of the State of Iowa

Leslie J. Marousek
 Leslie J. Marousek, Reg. No. 6263 Date 4-27-92